

REMARKS/ARGUMENTS

Favorable reconsideration of this application as presently amended and in light of the following discussion is respectfully requested.

Claims 1-24 are presently active, and Claims 1, 9 and 17-24 are amended to clarify the subject matter.

In this Official Action, Claims 1-24 were rejected under 35 USC §102(e) as anticipated by Takahashi (U.S. Patent Publication 2002/0137529).

Applicant respectfully submits that the rejection is overcome because, in Applicant's view, amended independent Claims 1, 9 and 17 patentably distinguish over Takahashi as discussed below.

Claim 1 is amended to recite "when the reception unit has received a first image acquisition request and a second image acquisition request in a predetermined time after receiving the first image acquisition request, the selection unit selects an identical image that is identical to an image selected responding to the first image acquisition request, the identical image being selected responding to the second image acquisition request, and outputs information relating to the identical image, and the transmission unit transmits a response containing the information relating to the identical image, in response to the second image acquisition request." The amendment finds non-limiting support in Applicant's specification as originally filed, for example from page 22, line 3 to page 25, line 7. Thus, no new matter is added.

Instead, Takahashi describes that when the image count is equal to or less than the image display capacity of the portable terminal 300, the communication unit 330 transmits a thumbnail image request to the image device 100 (Takahashi at paragraph 0058). In one mode, multiple thumbnail image requests are issued for the individual stored images (Takahashi at paragraph 0058). When the communication unit 330 can receive the thumbnail

image, a plurality of thumbnail images are displayed on the image display unit 324, and a user is permitted to select one of them (Takahashi at paragraph 0059).

However, Takahashi does not teach or even suggest that when the multiple thumbnail image requests are issued and the communication unit 110 has received a first image request and a second image request in a predetermined time after receiving the first image request, an identical image *identical to an image selected responding to the first image request* is selected in response to the second image request.

Thus, Takahashi fails to disclose “when the reception unit has received a first image acquisition request and a second image acquisition request in a predetermined time after receiving the first image acquisition request, the selection unit selects an identical image that is identical to an image selected responding to the first image acquisition request, the identical image being selected responding to the second image acquisition request, and outputs information relating to the identical image, and the transmission unit transmits a response containing the information relating to the identical image, in response to the second image acquisition request,” as recited in amended Claim 1.

The arguments as set forth above also apply to Claims 9 and 17.

Accordingly, independent Claims 1, 9 and 17 patentably distinguish over Takahashi. Since Claims 2-8, 10-16 and 18-24 are dependent from Claims 1, 9 and 17, substantially the same arguments set forth above also apply to these dependent claims. Therefore, Claims 1-24 are believed to be allowable.

Consequently, in view of the foregoing discussion and present amendment, it is respectfully submitted that this application is in condition for allowance. An early and favorable action is therefore respectfully requested.

Respectfully submitted,

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